

REMARKS

In the July 22, 2005 Office Action, the Office rejected then pending claims 1, 3-15, 38 and 39 as allegedly anticipated by or rendered obvious over certain references. In particular, claims 1, 3-7, 10-15, 38 and 39 were rejected under 35 USC 102(b) and 103(a) in light of US Patent No. 5,342,631; claims 1, 3-5, 7-15, 38 and 39 were rejected under 102(b) and 103(a) in light of EP 0273001; claims 1, 3-7, 10-15, 38 and 39 were rejected under 103(a) over US Patent No. 4,778,676.

In response, applicant has amended claim 1 and canceled claims 38 and 39 without prejudice. These amendments are fully supported by the specification. See inter alia paragraphs 0054, 0057, 0011, 0004 and 0005. Accordingly, no new matter was introduced.

US Patent No. 5,342,631 does not disclose or teach a soft-chew tablet as the amended claims require, but rather discloses a chewing gum.

EP 0273001 discloses an aerated nougat-type confectionary product. This reference does not disclose or teach non-aerated soft-chew tablet formulations as recited in the currently pending claims.

The US Patent No. 4,778,676 discloses chewable delivery systems wherein the active is pre-coated with lecithin and mixed with a matrix comprising a gelatin/glycerol binder system. This reference does not disclose or suggest a soft-chew tablet composition wherein the active is not coated, as recited in the pending claims.

Accordingly, applicant respectfully submits that the pending claims 1 and 3-15 are patentable.

CONCLUSION

In view of the foregoing, Applicants believe that claims 1 and 3-15 present allowable subject matter and allowance is respectfully requested. If any impediment to the allowance of these claims remains after consideration of the above remarks, and such impediment could be removed during a telephone interview, the Examiner is invited to telephone the undersigned attorney, at (703) 964-7884 so that such issues may be resolved as expeditiously as possible.

Dated this 20th day of October, 2005.

Respectfully submitted,



Phanesh Koneru
Reg. No. 40053
43106 Baltusrol Terr
Ashburn, VA 20147